

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
)
Bradley T. Estes et al.) Before the
) Examiner
Serial No.)
)
Filed: Herewith) Art Unit
)
LATERALLY EXPANDING)
INTERVERTEBRAL FUSION DEVICE)

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

Please consider this Preliminary Amendment in the above-captioned application prior to examination.

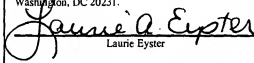
Amendments to the Specification begin on page 2 of this submission.

Amendments to the Claims are reflected in the listing of the claims, which begins on page 3 of this submission.

Remarks begin on page 6.

"Express Mail" label EL 984270582 US
Date of Deposit August 28, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, DC 20231.


Laurie Eyster

Estes et al.
1st Preliminary Amendment
004002-003385.JBM.237210